

Phillip Taylor
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4:20 pm

RECEIVED

cc
BCC

August 16, 2007

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Ravalli County Commissioners

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James Rokosch, Chairman, Ravalli County Commissioners
Kathleen Driscoll, Commissioner
Carlotta Grandstaff, Commissioner
Alan Thompson, Commissioner
Greg Chilcott, Commissioner

c/o Glenda Wiles:

Glenda: I am making a request for information and would like you to distribute this letter of request to each of the five commissioners. After you have distributed the letters, I would appreciate an email from you confirming the distribution. I suggest Mr. Chilcott respond to this letter and not ignore my request as he has done in the past.

County Commissioners: I am requesting a file, perhaps a better description is a number of documents and emails, which were summoned by our attorney Sarah McMillan in the summons request for Carlotta Grandstaff, Kathy Driscoll and James Rokosch, for use during the Settlement Agreement court action that is underway as a result of *Lords v. Ravalli County* 07-CV-0002-DWM filed in U.S. District Court in Missoula. I would also like any additional documents that may not have been furnished. Those summoned documents were compiled, but appear deficient in content.

From a chronological standpoint, the first document was dated May 25, 2007 and was an email from Allen Chronister to Karen Hughes, Greg Chilcott and Alex Beal. I know that settlement agreement activities began much earlier than May 25, 2007. In reality there must be more documents than have been presented in response to the summons. In his email of May 25, 2007, Allen Chronister states he had conversations with Attorney Van Canagan prior to May 25, 2007. His original email described situations that also pointed to conversations/communications with county personnel and plaintiff's attorney, "Van Canagan had been developing NEW arguments for including the late 3" (the subdivisions not a part of the final settlement agreement). There are mentions of a host of activities/discussions that must have taken place prior to May 25, 2007, yet we have no documentation for those discussions. Perhaps telephone logs would shed some light on when the parties started discussing a settlement agreement. We would like copies of any telephone logs that reflect times, dates and possibly content of conversations that relate to the settlement agreement. In addition, I am requesting that Mr. Chilcott, Mr. Beal, Alan Chronister and Ms. Hughes search their records and thoughts and provide a first contact recollection of their involvement with the settlement agreement. Not only am I attempting to gather new information, but I am also attempting to confirm information I already have.

This is a request for any type of and all documents related to the settlement agreement. The flow of information must have been considerably broader than the limited emails I refer to above.

The documents provided were limited to emails, most of which were originated by attorney Alan Chronister representing Ravalli County. They contained comments, suggestions and responses from county officials. I am sending this same request to Director of Planning Karen Hughes, Deputy County Attorney Alex Beal, Attorney Alan Chronister and County Attorney George Corn. I ask that you give this same request to all five County Commissioners for their response. I also ask that you emphasize to each commissioner not to ignore these written requests. I cite the following:

Right to Know - Article II, section 9 of the Montana Constitution provides that:
"No person shall be deprived of the right to examine documents or to observe the deliberations of all public bodies or agencies of state government and its Subdivisions, except in cases in which the demand of individual privacy clearly exceeds the merits of public disclosure."

Settlement Agreements do not enjoy the same protection afforded to client-attorney or litigation strategy confidentiality.

In addition, I would like someone who has the knowledge to provide a written explanation of how the Settlement Agreement process got started, including dates and communications. Who did what, who was involved and when? When did the County Commissioners first give permission to proceed with a Settlement Agreement and was there board action on such a directive? Who hired Alan Chronister and when? Who hired Alan McCormick and when? I would like a copy of any resolution, contract or communication authorizing the hiring of these two attorneys by the county commissioners. I would suppose former Chairman Chilcott in concert with Deputy County Attorney Alex Beal would be the persons to answer these questions because they were parties to the emails sent to the various other parties.

The records requested can be emailed to me or they can be copied and I will pick them up. I will pay for the copying expense once you give me a bill. I would appreciate these records in a reasonable timeframe which I consider to be deliverable no later than September 3, 2007.

Thank you,

Phillip Taylor

cc: Sarah McMillan, Attorney
Karen Hughes, Planning Director
Alex Beal, Deputy County Attorney
Alan Chronister, BCC Attorney
George Corn, Ravalli Co. Attorney